



California State Fire Marshal **CODE INTERPRETATION**

Date Issued		Interpretation	09-004
Topic	Restraining Persons in Non-Public Schools		
Code Section(s)	2007 CBC Section 308.1		
Requested by	Bonnie Terra Fire Marshal Alameda County Fire Department 399 Elmhurst Street Hayward, CA 94544 (510) 670-5853 bonnie.terra@acgov.org		
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As per Chapter 2 of the 2007 California Building Code, restraint is defined as “the physical retention of a person within a room, cell, or cell block of any means, or within the exterior walls of a building by means of locked doors inoperable by the person restrained...” As per section 308.1 of the California Building Code states that restraint shall not be permitted in any building except in Group 1-3 occupancies constructed for such use.

In our area we have several non-public schools for behaviorally challenged youth. In some cases, these buildings were originally public schools and have since been converted to non-public schools. These buildings were classified as E and B occupancies and are type VB construction (they were built in the 1950's). The buildings may be partially equipped with fire sprinklers (storage rooms only) and have smoke detection/fire alarm.

These non-public schools have storage rooms that have been converted to “Quiet Rooms” where the students are restrained by a staff member on the other side of the door, holding the door shut.

Question

As these buildings are not I-3 occupancies, can they restrain the students as stated above?

No. Please see the applicable provisions in 2007 CBC Sections 308 and 202.

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